

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FERNANDO GASTELUM,
Plaintiff,
v.
NIHAL, LLC,
Defendants.

Case No. 2:23-cv-0577-KJM-JDP (PS)

ORDER

On July 17, 2025, the magistrate judge filed findings and recommendations, which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

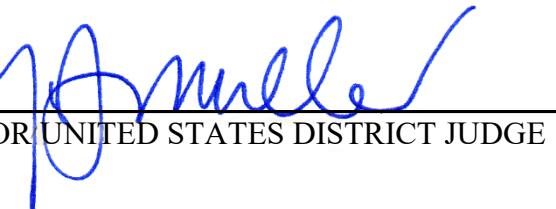
The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . ."). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations filed July 17, 2025, are ADOPTED;
2. Defendant's motion for summary judgment, ECF No. 20, is GRANTED;

- 1 3. Judgment is entered in defendant's favor on plaintiff's ADA claims;
- 2 4. The court declines to exercise supplemental jurisdiction over plaintiff's state law
- 3 claims;
- 4 5. Plaintiff's state law claims are dismissed without prejudice to plaintiff bringing them,
- 5 if he wishes, in state court;
- 6 6. Plaintiff's motion for summary judgment, ECF No. 16, is DENIED; and
- 7 7. The Clerk of Court is directed to close the case.

8 DATED: August 29, 2025.

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11 SENIOR UNITED STATES DISTRICT JUDGE

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